

CCC:JAM/MEM
F.#2017R00509

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA

- against -

KARL JORDAN, JR., and
RONALD WASHINGTON,

Defendants.

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STIPULATION AND ORDER
PERTAINING TO DISCOVERY
MATERIALS AND OTHER
SENSITIVE INFORMATION

No. 20-CR-305 (LDH)

IT IS HEREBY STIPULATED AND AGREED by and between the
undersigned attorneys and ORDERED by the Court, pursuant to Federal Rule of Criminal
Procedure 16(d), that:

1. Any and all discovery material designated by the government as
“sensitive discovery material” and produced to the defendants KARL JORDAN, JR. and
RONALD WASHINGTON (the “defendants”) by the government in the above-captioned
case, and any and all copies, notes, transcripts, documents or other information derived or
prepared from the sensitive discovery material, may be used by the defendants and defense
counsel for any purpose consistent with this order in furtherance of the representation of the
defendants in connection with the above-captioned indictment;

2. Any and all sensitive discovery material produced to the defendants by
the government and any copies, notes, transcripts, documents or other information derived or
prepared from the sensitive discovery material shall not be further disseminated by the

defendants or defense counsel to any individuals, organizations or other entities, other than members of the legal staff of and expert witnesses and interpreters retained by defense counsel who have signed this Stipulation and Order, without further order of the Court;

3. Each of the individuals to whom disclosure is authorized in paragraph 2, that is, members of the legal staff of and expert witnesses and interpreters retained by defense counsel who have signed this Stipulation and Order, shall be provided a copy of this Stipulation and Order and will be advised that he or she shall not further disseminate any portion of the sensitive discovery material or any copies, notes, transcripts, documents or other information derived or prepared from the sensitive discovery material except in conformity with this Stipulation and Order;

4. The defendants may review the sensitive discovery material only in the presence of defense counsel or defense counsel's legal staff. The defendants are prohibited from having possession, custody, or control of the sensitive discovery material, except to the extent necessary for the defendants to review the sensitive discovery material in the presence of defense counsel or defense counsel's staff. The defendants are further prohibited from disseminating any sensitive discovery material, and may not take sensitive discovery material, or copies thereof, into any jail facility outside the presence of defense counsel or defense counsel's legal staff, possess sensitive discovery material or copies in any such facility outside the presence of defense counsel or defense counsel's legal staff, or provide information from sensitive discovery material to others.

5. Where the defendants and/or defense counsel wish to disclose any portion of the sensitive discovery material or any copies, notes, transcripts, documents or other information derived or prepared from the sensitive discovery material to any individual

to whom disclosure is not authorized by paragraph 2, defense counsel must provide advance notice to the government and make application to the Court for authorization to make such disclosure, and such notice must be given sufficiently in advance of the contemplated application so as to permit briefing and argument on the propriety of such disclosure;

6. None of the sensitive discovery materials nor any copies, notes, transcripts, documents or other information derived or prepared from the sensitive discovery material shall be disseminated to, or discussed with, the media in any form. Nothing in this Stipulation and Order prohibits the media from obtaining copies of any items that become public exhibits at any conference, hearing, trial or other proceeding; where the defendants and/or defense counsel wish to attach any portion of the sensitive discovery material to public filings made with the Court, defense counsel must provide advance notice to the government and make application to the Court for authorization to make such disclosure, and such notice must be given sufficiently in advance of the contemplated application so as to permit briefing and argument on the propriety of such disclosure;

7. Nothing in this Stipulation and Order in any way releases counsel for the government or defense counsel from the obligation of the “Free Press Fair Trial Directives” of Local Rule 23.1 of the Local Criminal Rules of the Eastern District of New York;

8. Nothing in this Stipulation and Order shall preclude the government from seeking a further protective order pursuant to Rule 16(d) as to particular items of sensitive discovery material or other discovery material;

9. If the defendants obtain substitute counsel, the undersigned defense counsel will not transfer any portion of the sensitive discovery material or any copies, notes,

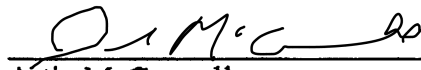
transcripts, documents or other information derived or prepared from the sensitive discovery material unless and until substitute counsel enters into this Stipulation and Order;

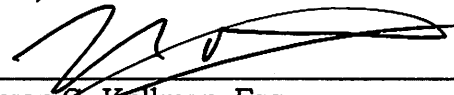
10. The defendants and defense counsel will return to the government the sensitive discovery material and all copies thereof, whether in the possession of the defendants, defense counsel or members of the legal staff of and expert witnesses and interpreters retained by defense counsel who have signed this Stipulation and Order, when defense counsel ceases to represent the respective defendant; and

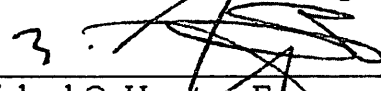
11. Any violation of this Stipulation and Order (a) will require the immediate return to the United States of the sensitive discovery material and all copies thereof, and (b) may result in contempt of Court.

Dated: Brooklyn, New York
_____, 2020

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Michael O. Hueston, Esq.
Mark S. Demarco, Esq.
Counsel for Karl Jordan, Jr.

SO ORDERED
this ____ day of September, 2020

THE HONORABLE LASHANN DEARCY HALL
UNITED STATES DISTRICT JUDGE
EASTERN DISTRICT OF NEW YORK